

RECORDING OF PROCEEDINGS

Wyoming Board of Agriculture
February 16, 17, and 18, 2010
Wyoming Department of Agriculture
Conference Room

Present: Juan Reyes
Jim Hodder
Shaun Sims
Jim Benner
Joe Thomas,
Bryan Brost
Jim Price Jr.
Patrick Zimmerer
John Hansen
Bridget Kukowski
Dalin Winters
Jason Fearneyhough

Absent: Governor Freudenthal's Office
Frank Galey

Minutes

Juan made a motion to approve the January 13, 2010 minutes. The motion was seconded by Bryan Brost. All voted in favor. Motion carried.

Legislative Update

Bobbie Frank said the water quality funding has been restored in the budget. She handed out the watershed report. The Aquatics Invasive bill has 1.5 million added with State Parks as the rule makers. The Endangered Species bill has been referred to the Minerals Committee. Their organization (Wyoming Association of Conservation Districts) is supporting the states' rights resolutions. She did ask for the Board to get the word out to smaller districts such as the cemetery districts, etc. regarding SF 5. Ken Hamilton talked about the Vet loan repayment bill and is following the Food Freedom Act. He said that HB61 is one that we need to be careful with. The bill is Legal Service Funding. Scott Zimmerman said he is following the Eminent Domain bills, Wind Power, and the removal of goats and llamas from the brand statute. He is also watching the 10th Amendment, SF31 regarding the spending from the Natural Resource account to help counties with the NEPA process. He said Rocky Mountain Farmers Union is opposed to the tolling on I-80. Brett Moline is watching SF 13 which is the Economic Analysis of Economic Models for Counties. Scott Zimmerman said they are also following the Wind Energy bills.

Update from Ted Craig

Ted handed out some information on the Specialty Crop Program and discussed some of the highlights of the funding. Joe Thomas asked if he would be willing to have a meeting with Juan, Bridget and himself to see how this type of program could be integrated into production agriculture. Juan's real concern was we aren't doing enough for production agriculture. Ted would welcome the opportunity. Joe appointed Juan Reyes, Jim Hodder and Bridget to an Ad Hoc committee to see about grants for production agriculture. Jim Hodder will serve as chairman and report back to the board at the April

meeting. Juan suggested we try to funnel more money into something like bees since they are production ag. Bryan Brost suggested elk as a specialty crop and meat production, also.

Update from Hank

Hank said the Apiary Law change bill is moving smoothly. Jason said he is very concerned that is the Food Freedom Act becomes law it would allow foods to be sold to the consumer that haven't been properly inspected.

Update from Jennifer Meints - EPA

Jennifer reviewed the NPDES with the members. The final rule was issued in 2006 and the deadline for the development of permits is December 2010. DEQ is also in the process of developing their process which will be as strident as the federal law, but each state can make their rules stronger. She said the Spill Prevention and Counter Measure Control have streamlined the regulation. If there are 1320 gallons on site, it falls under regulation and needs to have a plan on site. The renewable fuel standards were finalized February 3, 2010. Now we have to increase bio fuel. There needs to be 36 million gallons of bio fuel by 2022. She said that ethanol from corn does comply but coal fired plants do not. She also said that by 2013 there has to be 10% ethanol in all gasoline. This can cause problems for older engines.

February 26 is the date for the sage grouse ruling but if it is listed, it won't become effective until March 11, 2010.

The board moved the strategic planning until the April meeting. They adjusted the Thursday agenda to accommodate Jack Berger and Lars Baker.

The board talked about meeting once a year and possibly twice with the Business Council.

Chris Wichmann discussed the final draft of the wind policy. **Jim Price made a motion to approve the final draft as presented. Juan Reyes seconded the motion. All voted in favor. Motion carried.**

Joe wanted to brainstorm the portions of the MOU with the Business Council that will be finalized tomorrow. Cindy Garretson-Weibel said the semi-annual meeting with them is not going to happen. She indicated they are all busy folks and don't have time. Cindy said their interest is to have this MOU finalized this week. A year ago the Business Council Board said the minor points in the MOU would be left up to the staff. Cindy said the WBC would also like to have a liaison to the BOA. They would like to have a board member and a staff member from each entity. The BOA agreed. Cindy reiterated they have been working as if this MOU were in place for the past six months and if putting it in writing helps, that's fine. We will have Margy incorporate the comments suggested by Bob Jensen by this afternoon. This will help at the meeting Jason, Bob and Cindy are having in the morning as well as the discussion in the afternoon.

The members are interested in using grant funding to educate folks about the need to harvest elk for the benefit of wildlife, habitat, etc. They are interested in giving incentives to hunters to take a cow free with each bull tag. There is a great need to reduce the elk population in areas of the state. This is one of the topics for the joint meeting with Game and Fish Commission is September. Juan suggested an article in the tourism magazine to educate folks of the family enjoyment of hunting.

April Agenda Items

Rangeland Health update. They would also like to invite John Corra. Juan suggested that Bobbie Frank come up with a list of issues to discuss to give John in advance.

Executive session called by President Thomas. Patrick Zimmerer said he feels we are in violation of the Open Meetings Act, so the door was opened and the attendees were invited back into the room. Joe would like to see something in writing regarding the pass-through of funding from WUSATA to the Business Council. Jason feels he is responsible for the funding and doesn't have a good handle on the accountability of those funds. After discussing the issue with Cindy Garretson-Weibel, she said all of the functions of the Marketing Division became a part of the WBC Agribusiness Division. The function of WDA to WUSATA belongs to WDA, but now the WBC does that function without Jason's knowledge. Juan asked Cindy what her concerns were. Cindy said she is working on the Mexico/Canada commodity market with WUSATA. Juan would like to know where the money is being spent. Cindy would like to have those roles clarified.

Conservation District Appointment

Jim Price made a motion to approve the resignation of Lance Crook as the urban supervisor of the Star Valley Conservation District. He also motioned to approve the appointment of Aaron Daniels to replace Lance in that position until the next general election. John Hansen seconded the motion. All voted in favor. Motion carried.

State Fair Update

James said they are ready to start another phase at State Fair Park, as the construction is done for now. He said the community is beginning to use the park more. The total event days has increased from 315 in 2006 to 510 in 2009. They have set up an arena in the livestock pavilion and it is being used during the winter months. They are now beginning their focus to the infrastructure in the buildings to host additional functions. The cost to put in a ventilation system is a little over \$700,000 and they are looking at possibly putting concrete floors in the pavilion and the equine center. Crabtree is contracted to do the carnival during State Fair Week and they will be doing background checks on their personnel. This year's concert will feature the Low Case Cowboys opening for Joe Diffy. There will not be a pre-concert discount and all tickets will sell for \$15.00. At check in, there will be a trailer across the road to be used for tickets. They are working on better communication with vendors, PRCA participants, etc. so they have a better understanding of the entrance fees and parking fees. James said he anticipates improving the check-in area, also. Juan was concerned about the loss of vendors at the fair. James indicated if those vendors are not participating, it's just a matter of dollars. He went on to say that they do have set fees for the vendors.

Jim Bennage inquired about the issue of staffing education, as that was a problem last year. James said they are planning to do a better job of ensuring they are staffing the gates with folks who understand the exceptions that arise. James said they anticipate adding more strolling acts because they have had some real positive feedback on those acts in the past. He said there has also been some discussion about using State Fair as the finals for the ranch rodeo. He said they have 144 spaces with water and electricity only and will be upgraded to 143 spaces with sewer and electrical. They also plan on using wood bedding in the Beef Cattle Barn which will cut down on the dust.

Living Legacy

Joe asked Bryan Brost if he would be willing to help on the program. He agreed he would do what he can. Muff will send the members an information packet on the program so they can acquire sponsorship for 2010.

Water Update

Mike Purcell updated members on specific projects the Water Development Commission are working on. He said they are basically working on a cash-flow basis where the project can be completed within two years.

Juan said he would like to extend an invitation to both Mike and Pat to work cooperatively with the board in the future. Mike said to watch closely HB18 which is the bill regarding invasive muscles in our water ways. Mike also indicated he would like to see the board stay involved with federal issues.

Pat Tyrrell talked about the Million Pipeline. They still have the same two applications they have had for two years. The scoping document was released yesterday and the EIS is coming soon. He said the South Metro Project is the competitor of the Million Project and involves several entities. He said the Corp of Engineers would like them both to get the information to them so they only have to do one EIS.

Mike said that cloud seeding and the water planning process would be good topics for future board meetings. Pat said permits are still being issued on sage grouse areas.

Kent Drake presented members with a copy of the Animal Damage Management Report.

Water Quality Ranking /RFP

Justin reviewed the whole water quality grant funding process. He said that every two years this process would be reviewed (2012) to allow new members the opportunity to understand the process. When the recipients are missing information or are late with reporting, the Board would be given the opportunity to review the letters before they are sent. The Board was concerned that the ranking criteria presented did not allow for them to refuse funding the applicant. Bobbie Frank felt the discussion of criteria ranking be between WACD and the Board. She said there has always been an opportunity to refuse to fund. Bobbie asked the Board to give direction to WACD as to what information they would like in order to review applicants. The general feeling of the Board was that they were okay with the ranking for WACD and would like a paragraph explaining the reason for ranking to help them justify the final funding determination. **Dalin Winters made a motion to approve the application process as presented by Justin. Jim Price seconded the motion. Jim Bennage made a motion to amend the motion to have the first paragraph worded as follows: "The following criteria developed jointly by WACD and WDA, as approved by the BOA, shall be considered by WACD when ranking and recommending water quality grant proposals" and change "will" to "may" in paragraph 2. As a part of the process, WACD shall provide a small paragraph explaining recommendations for funding or not, for each application. The motion was seconded by Jim Hodder. All voted in favor.**

USDA

Paul Shelton discussed the Sage Grouse Initiative and the PL566 Program. He indicated the Board of Agriculture does not have any decision making when it comes to the PL566 program. Paul said NRCS is

rolling out a sage grouse initiative. He doesn't think it will affect the USFWS listing, but there will be some funding available in several states.

EPA

Jennifer Meints was on hand to talk about NPDES and the joint effort between DEQ and EPA for inspections.

CAPS Program

Hank Uhden gave the Board some background on the CAPS program and the Crop Pest Ag Survey.

Designated and Declared Weeds and Pests

Slade presented the Declared List from the Weed and Pest Districts, noting there were no changes from the Weed and Pest Council on the Designated List. After reviewing the resolutions to the declared lists as presented, **Dalin Winters made a motion to approve the resolutions as presented. Jim Hodder seconded the motion. All voted in favor. Motion carried.**

Weed and Pest Laws

Lars Baker wanted to visit with the Board about the proposed changes to the weed and pest law. This included the need for changes and the effect of the changes. He also talked about the history behind the current law. The statutes do not reflect the new needs of the districts. The districts are trying to work on prevention now, and the current statutes don't give them the authority to look for weeds that are not currently in the state.

Enhancement of ATV Trails

Jack Berger said the Forest Service is contacting permittees to discuss the possibility of enhancing ATV trails. He indicated there has been a real problem on the other side of the mountain which already has groomed trails. The producers over there are now experiencing some severe problems with their cattle. Jim Price suggested the Board write a letter showing their support of not increasing or enhancing the trails on Forest and State lands. The board asked Leanne and Jason to find information on Forest Service, BLM, and State Lands and mail it to them so they can review it and be in a better position to support the permittees. Leanne said there has also been a reduction in AUMs. Joe indicated those ATV users are cutting fences leaving gates open. The activity of the ATV's is also moving livestock up the mountain.

Seed Pricing List

Gil Weibel presented a new species list which is added to the new seed analysis price list. **Dalin Winters made a motion to approve the Proposed Changes to the See Prices on Listed Species and Proposed New Species to be Added to the Wyoming Seed Analysis Price List as presented by Gil, as recommended by SLAG, effective May 15, 2010. The motion was seconded by Jim Hodder. All voted in favor. Motion carried.**

WBC MOU

Mark Willis and Cindy Garretson-Weibel were on hand to discuss the final changes to the draft MOU in hopes it could be finalized today. The board made a few minor changes. **Juan made a motion to**

approve the MOU with changes. The motion was seconded by John Hansen. All voted in favor. Motion carried.

The MOU says the two boards will meet during each year. Cindy suggested June 1st or 2nd. The Board of Agriculture could meet the afternoon of the 2nd and then follow up with a joint meeting June 3rd. Cindy also requested an hour at the April meeting.

Other suggestions for the April meeting included having John Corra here, have Jim Schwartz on for about an hour to talk about the state implemented Animal ID. Other ideas mentioned were horses, review the F.A.I.R. MOU, Julie with an update on the budget and strategic plan.

There being no additional business, the meeting was adjourned.

Respectfully submitted,

Jim Bennage, President

Date